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California State Senate

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FACT SHEET **SB 126 (Steinberg)** **Autism & Behavioral Intervention Therapy**

Purpose of the Bill

To extend the sunset of the California Autism Insurance Mandate Law for 5 years.
SB 946 (Steinberg) is currently due to elapse on July 1, 2014.

Background on California's Autism Insurance Mandate

In October of 2011, Governor Brown signed into law SB 946, California's landmark bill, which was authored by Sen. Steinberg, requiring health care coverage for "behavioral health treatment" (BHT) of children with autism and pervasive developmental disorders (ASD).

This legislation, which went into effect July 1, 2012, mandates that all state-regulated health plans must fund BHT and provide these services in the same manner as any other covered medical diagnosis. Although CalPERS plans and Healthy Families Programs are also excluded, DMHC has issued an emergency ruling that requires funding for BHT by these programs under the California Mental Health Parity Act (2000). SB 946 does not apply to either self-funded plans or Medi-Cal.

SB 946 requires that BHT include "professional services and treatment programs, including applied behavior analysis and evidence-based behavior intervention programs, that develop, restore, to the maximum extent practicable, the functioning of an individual with ASD." SB 946 does not reduce any of the requirements of the Individual Education Plan (IEP) process and therefore has no bearing on any school district funded educational programs.

SB 946 stipulates that the BHT must be prescribed by a licensed physician or psychologist; with a treatment plan that includes measurable goals over a specific timeline. Furthermore, BHT treatment must be generated and supervised by a qualified autism service provider; and implemented by either a qualified autism professional or paraprofessional. A treatment plan may not be used for respite, day care or educational services and parents cannot be reimbursed for their participation.

Pursuant to SB 946, the California Department of Managed Health Care (DMHC) has convened an Autism Advisory Taskforce to address the following: 1) Guidelines on appropriate BHT; 2) Patient selection & monitoring; 3) Provider qualifications; 4) Licensure for BHT providers; 5) Adequate network of providers. These recommendations are currently pending.

What Will SB 126 Do?

SB 126, by Senator Steinberg— President Pro Tempore, extends the provisions of SB 946 until July 1, 2019. Extending the provisions of the current autism insurance mandate for five years will enable:

- Evaluation of the pending recommendations by the DMHC Autism Taskforce.
 - Consideration of a “path to licensure” for the BHT providers and paraprofessionals.
 - Coordination and synchronization with the Affordable Care Act of 2010.
 - Assessment of future Affordable Care Act guidelines that are pending in 2018.
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Sponsor: Autism Speaks

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